

**UNITED STATES DISTRICT COURT
DISTRICT OF MAINE**

**U.S. Bank Trust, N.A., as Trustee for LSF9
Master Participation Trust**

CIVIL ACTION NO: 1:19-cv-00557-JAW

Plaintiff

**PLAINTIFF'S MOTION FOR DEFAULT
JUDGMENT AS TO DEFENDANTS**

vs.

**RE: VACANT REAL PROPERTY -
381 West Corinth Road, Corinth, ME 04427**

**Bradley Preble, as Heir to the Estate of
Valerie A. Preble and Bryan Preble a/k/a
Brian Preble, as Heir to the Estate of Valerie
A. Preble**

**Mortgage:
August 18, 2005
Book 10046, Page 250**

Defendants

**AFFIDAVIT OF MATTHEW KELLY IN SUPPORT OF PLAINTIFF'S
MOTION FOR DEFAULT JUDGMENT AS TO DEFENDANTS**

I, Matthew Kelly, hereby depose and state as follows:

1. I am a paralegal at Doonan, Graves & Longoria, LLC, the law firm who represents Plaintiff U.S. Bank Trust, N.A., as Trustee for LSF9 Master Participation Trust ("U.S. Bank") in this matter. I submit this affidavit in support of Plaintiff's Motion for Default Judgment as to Defendants, Bradley Preble, as Heir to the Estate of Valerie A. Preble and Bryan Preble a/k/a Brian Preble, as Heir to the Estate of Valerie A. Preble, pursuant to Fed. R. Civ. P. 55(b).
2. Plaintiff's Complaint was filed on December 9, 2019.
3. The Defendant, Bradley Preble, as Heir to the Estate of Valerie A. Preble, was served with the subject complaint on December 17, 2019.
4. Proofs of Service for Defendants, Bradley Preble, as Heir to the Estate of Valerie A. Preble and Bryan Preble a/k/a Brian Preble, as Heir to the Estate of Valerie A. Preble, were filed on March 10, 2020.

5. The Defendant, Bryan Preble a/k/a Brian Preble, as Heir to the Estate of Valerie A. Preble, was served with the subject complaint on January 8, 2020.
6. Pursuant to Fed. R. Civ. P. 12(a)(1)(A)(i), Defendant, Bradley Preble, as Heir to the Estate of Valerie A. Preble's response to the Complaint was due January 7, 2020.
7. Pursuant to Fed. R. Civ. P. 12(a)(1)(A)(i), Defendant, Bryan Preble a/k/a Brian Preble, as Heir to the Estate of Valerie A. Preble's response to the Complaint was due January 29, 2020.
8. The Defendants are not in the military.
9. On May 11, 2020, Plaintiff filed a Motion for Entry of Default as to Defendants, Bradley Preble, as Heir to the Estate of Valerie A. Preble and Bryan Preble a/k/a Brian Preble, as Heir to the Estate of Valerie A. Preble.
10. On May 11, 2020, this Court entered Default as to Defendants, Bradley Preble, as Heir to the Estate of Valerie A. Preble and Bryan Preble a/k/a Brian Preble, as Heir to the Estate of Valerie A. Preble.
11. Upon information and belief, the attached payment history records received from our client were made at or near the time of the transactions by, or from information transmitted by someone with personal knowledge, pursuant to Fed. R. Evid. 803(6).
12. Upon information and belief, the attached payment history is kept in the course of a regularly conducted activity by our client, pursuant to Fed. R. Evid. 803(6).
13. Upon information and belief, the making of the attached records are a regular practice of our client's regularly conducted activity for maintaining records, pursuant to Fed. R. Evid. 803(6).
14. At the requested hearing, Plaintiff will produce a witness from the servicer of the subject loan to testify to the above.

I declare under penalty of perjury that the foregoing is true and correct. Executed on this
27th day of July, 2020.

/s/Matthew Kelly
Matthew Kelly

COMMONWEALTH OF MASSACHUSETTS

ESSEX, ss.

On this 27th day of July, 2020, before me, the undersigned notary public, personally appeared Matthew Kelly, who proved to me through satisfactory evidence of identification to be the person whose name is signed on this document, who swore or affirmed to me that the contents of the document are truthful and accurate to the best of his/her knowledge and belief.

/s/ Michele Marie Kulick
Notary Public
Commission Expires: 02/10/2023